

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

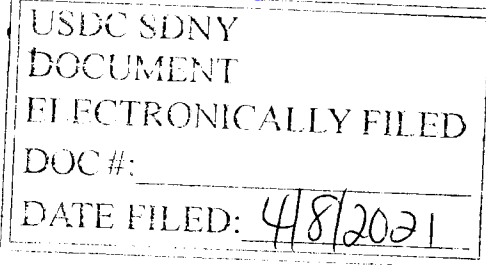
-----X  
EUGENE THOMAS,

Plaintiff,

-against-

DEUTSCHE BANK NATIONAL TRUST  
COMPANY,

Defendant.  
-----X



20 **CIVIL** 6024 (VEC)

**JUDGMENT**

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated April 8, 2021, the R&R is adopted in full. Defendant's motion to dismiss the complaint is GRANTED. Plaintiff's motion for leave to amend is DENIED. Because the R&R gave the parties adequate warning, Plaintiff's failure to file objections to the R&R precludes appellate review of this decision. See *Caidor v. Onondaga County*, 517 F.3d 601, 604 (2d Cir. 2008). Further, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Order would not be taken in good faith, and, therefore, permission to proceed in forma pauperis for purposes of appeal is denied. Cf. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that appellant demonstrates good faith when seeking review of a non-frivolous issue); accordingly, the case is closed.

**Dated:** New York, New York  
April 8, 2021

**RUBY J. KRAJICK**

BY:

\_\_\_\_\_  
Clerk of Court

*Kmango*  
\_\_\_\_\_  
Deputy Clerk